THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.27126 OF 2005

DATED: 21-06-2007

BETWEEN

P. Satya Goud,
S/o. Narsa Goud,
Toddy Cooperative Society.
Group Rudrur,
Rudrur Village, Varni Mandal,
Nizamabad District.

...PETITIONER

AND

The Prohibition & Excise
Superintendent, Nizamabad
and another.

...RESPONDENTS

ORDER:

Petitioner questions the suspension order dated 21.11.2005 suspending the licence in respect of shop Nos.1 and 2 of Rudrur Toddy Tappers Cooperative Society, pending enquiry. He submits that the licence was suspended on the ground that chloral hydrate was found in the toddy, though the chloral hydrate was found outside the depot.

2. Counter has been filed stating that the place where chloral hydrate was found is not outside the toddy depot, but it was found at the backside of the toddy depot premises, which is also a part of the toddy depot premises.

3. However, it is not known as to why the respondents have not initiated proceedings to pass final orders under Section 31 of the Andhra Pradesh

Excise Act. As the licence period is already over it may not be just and proper to adjudicate with regard to the validity or legality of the suspension order, which was passed pending enquiry and as the suspension period was already worked out during the currency of the licence period, the respondents are directed to take appropriate action for passing final orders under Section 31 of the Act.

The writ petition is accordingly disposed of. There shall be no order as to costs.

_____

V. ESWARAIAH, J

June 21, 2007
DSK